

# DISTRICT CHECKLIST FOR REVIEWING EXECUTED CONSULTANT CONTRACTS

<b>Consultant Selection Process</b>	Has the city/county provided adequate written documentation to demonstrate it has complied with state laws regarding the selection of engineering and architectural firms?	
	Provide standard transmittal letter including info in LPA project file	<input type="checkbox"/>
	Provide names of at least three firms considered	<input type="checkbox"/>
	Documented the criteria used to evaluate each firm	<input type="checkbox"/>
	Provide selection tally sheets for each firm on short list	<input type="checkbox"/>
	Provide selection summary of tally's	<input type="checkbox"/>
	Documented reasons why this firm was selected	<input type="checkbox"/>
	Indicate E-Verify MOU and affidavit are on file for Prime	<input type="checkbox"/>
	<b>Review of Consultant Contract</b>	
	Does the contract contain all the proper articles and attachments specified in the LPA Manual sample contract?	<input type="checkbox"/>
	Does the contract have the DBE section? (Article II)	<input type="checkbox"/>
	Does the contract have the DBE sub-consultant listed with type of service, total dollar value of the DBE sub-consultant, contract dollar amount to apply to total DBE goal and percentage of sub-consultant dollar value applicable to total goal.	<input type="checkbox"/>
	Does the contract have attachment E, DBE Contract Provisions?	<input type="checkbox"/>
	Is Prime consultant's overhead pre-qualified?	<input type="checkbox"/>
	Is attachment A hours times rate calculated correctly? Does total labor cost times overhead percent calculated correctly? Is fixed fee calculated correctly and within the allowable profit curve? Are direct costs defined and sub-consultants identified? If sub-consultant cost over \$25,000 review their cost estimates also.	<input type="checkbox"/>
	Do the totals in the Compensation section agree to the amounts shown on the Estimates of Cost in Attachment A? (Article VII-A, B)	<input type="checkbox"/>
	Does the Compensation section state payment to the engineer/consultant will be actual costs incurred plus a predetermined fixed fee for design services and construction engineering? (Article VII-A, B)	<input type="checkbox"/>
	Does the contract state that rates shown for additives and overhead are approximate and will be adjusted for actual cost determined by a final audit? (Article VII-E)	<input type="checkbox"/>
	Does the contract state the payment of costs will be limited to those allowable under 23 CFR Part 172 and 48 CFR Part 31? (Article VII-F)	<input type="checkbox"/>
	If a sub-consultant(s) is to be used, is the name of the sub-consultant provided along with the services the sub-consultant will provide? (Article VIII)	<input type="checkbox"/>

	Sub Consultant	Cost \$	(See Attachment A)	<input type="checkbox"/>
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	Is a letter or detailed cost estimate provided for the sub-consultant (1)? (under \$25,000 letter w/quote)			<input type="checkbox"/>
	Is a letter or detailed cost estimate provided for the sub-consultant (2)? (under \$25,000 letter w/quote.)			<input type="checkbox"/>
	If over \$25,000, Is sub consultant (1) cost in a cost plus fixed fee format?			<input type="checkbox"/>
	If over \$25,000, Is sub consultant (2) cost in a cost plus fixed fee format?			<input type="checkbox"/>
	If over \$25,000, Is sub-consultant (1) overhead calculation included?			<input type="checkbox"/>
	If over \$25,000, Is sub-consultant (2) overhead calculation included?			<input type="checkbox"/>
	Is Sub Consultant (1)'s overhead pre-qualified?			<input type="checkbox"/>
	Is Sub Consultant (2)'s overhead pre-qualified?			<input type="checkbox"/>
	Is there a record retention clause? (Article XI)			<input type="checkbox"/>
	Is there a record retention clause? (for a period of service not less than 3 years following final payment by FHWA)			<input type="checkbox"/>
	Is there a clause stating records can be audited? (Article XI)			<input type="checkbox"/>
	Does the liability clause agree to the standard contract? (Article XVII)			<input type="checkbox"/>
	<b>Attachment A – Estimate of Cost</b>			
	Are actual costs defined as actual payroll salaries, payroll additives, general and administrative overhead and costs directly attributable to the project such as mileage, meals, lodging, printing, surveying, and others?			<input type="checkbox"/>
	Is the Estimate of Cost broken out in detail that includes each task, person performing the task, the hours for the task?			<input type="checkbox"/>
	Are the hourly salary rates shown net of overhead and profit (i.e., salary amount only)?			<input type="checkbox"/>
	Are overhead rates only applied on direct labor costs?			<input type="checkbox"/>
	Are direct costs described in sufficient detail so that you can determine what the expenses are for?			<input type="checkbox"/>
	If mileage is charged, is it charged as the IRS rate? <div>Rate:</div>			<input type="checkbox"/>
	Is the fixed fee calculated on only direct labor and overhead? (The fixed fee is not allowed on direct expenses or pass through costs)			<input type="checkbox"/>
	Is the fixed fee 15% or less (direct labor and overhead): <div>Rate:</div>			<input type="checkbox"/>
	Are the hours shown in the cost estimate reasonable for the work to be done as establishes by the scope of the project?			<input type="checkbox"/>
	<b>Attachment B – Overhead Rate Breakdown (Fig. VI-1-13)</b>			
	<b>NOTE:</b> it is preferable to have the overhead schedule show dollar amount as well as percentages for dollar amounts as well as percentages for each category, as this information aids in the review of the overhead calculations.			
	Is the payroll portion of the overhead rate broken down into component parts such as holidays, sick leave, vacation, employee incentives, FICA and other taxes?			<input type="checkbox"/>

Is the general and administrative portion of the overhead rate broken down into sufficient detail so that you can determine the type of expenses included in the overhead?	<input type="checkbox"/>																
Does the overhead include only allowable expenses?	<input type="checkbox"/>																
<p><b>NOTE:</b> The following are unallowable expenses and must be deleted from the overhead: (Also see Fig. VI-6)</p> <table border="0"> <tr> <td>Bad Debt Expense</td> <td>Interest Expense</td> </tr> <tr> <td>Adverting Expense</td> <td>Marketing Expense</td> </tr> <tr> <td>Profit Distribution</td> <td>Sub-Contractor's Direct Expenses</td> </tr> <tr> <td>Entertainment Expense</td> <td>Promotional Expenses</td> </tr> <tr> <td>Equipment &amp; Furniture Purchases</td> <td>Gifts</td> </tr> <tr> <td>Federal Income Tax and Preparation</td> <td>Donations</td> </tr> <tr> <td>Fines, Penalties and Mischarges</td> <td>Lobbying</td> </tr> <tr> <td>Alcoholic Beverages Expense</td> <td>Misc over 5%</td> </tr> </table>	Bad Debt Expense	Interest Expense	Adverting Expense	Marketing Expense	Profit Distribution	Sub-Contractor's Direct Expenses	Entertainment Expense	Promotional Expenses	Equipment & Furniture Purchases	Gifts	Federal Income Tax and Preparation	Donations	Fines, Penalties and Mischarges	Lobbying	Alcoholic Beverages Expense	Misc over 5%	<input type="checkbox"/>
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Is the over head schedule mathematically correct?	<input type="checkbox"/>																
Do the overhead rates on the schedule agree to the rates used in the estimate of costs?	<input type="checkbox"/>																
Do the overhead rates on the schedule match the Pre-Qualified overhead rates on file?	<input type="checkbox"/>																
Submit Fig 136.4.15 Conflict of Interest Disclosure Form	<input type="checkbox"/>																